



VIA HAND DELIVERY MARCH 14, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ruben et al.

Docket No.: PZ003P3

Application No.: 09/853,161

Group Art Unit: 1634

Filed: May 11, 2001

Examiner: M. Sheinberg

For: Antibodies to Protein HPMBQ91 (as amended)

**INFORMATION DISCLOSURE**  
**STATEMENT PURSUANT TO 37 § CFR 1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references A-Q cited on the attached Form PTO/SB/08A. Copies of references A-Q were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 09/152,060, filed September 11, 1998, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is respectfully directed to the above-listed file for copies of references A-Q.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. *See* 37 CFR §§ 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

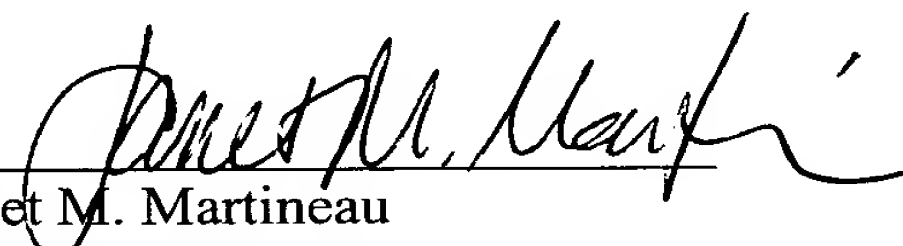
Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

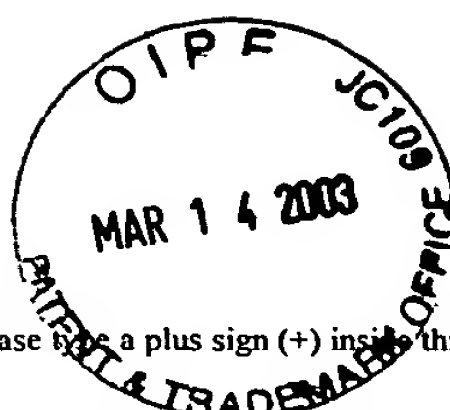
If any additional fees are deemed necessary, the Patent & Trademark Office is authorized to charge the required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

Dated: March 14, 2003

Respectfully submitted,

By   
Janet M. Martineau  
Registration No.: 46,903  
HUMAN GENOME SCIENCES, INC.  
9410 Key West Avenue  
Rockville, Maryland 20850  
(301) 315-2723

KKH/JMM/SA/FR/ba



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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/853,161
				Filing Date	May 11, 2001
				First Named Inventor	RUBEN, et al.
				Group Art Unit	1634
				Examiner Name	Sheinberg, M.
Sheet	1	of	2	Attorney Docket Number	PZ003P3

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Kind Code <sup>2</sup> Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A	5,536,637		Kenneth Jacobs	07/16/1996	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B	EP	0679 716A		Matsubara et al.	11/02/1995		
	C	WO	97/07198		Genetics Inst. Inc.	02/27/1997		
	D	WO	00/09709		IncYTE	02/24/2000		
	E	WO	98/40483		Human Genome Sciences	09/17/1998		

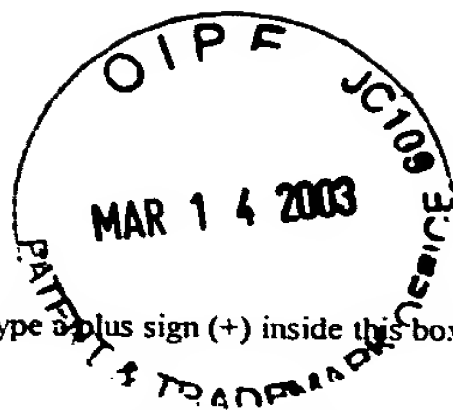
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	F	Geneseq Accession No: Y12863, DUCLERT et al., "Human 5' EST secreted protein SEQ ID NO:453" (June 21, 1999).	
	G	GenBank Accession No: R60718, HILLIER et al., "yh02c10.r1 Homo sapiens cDNA clone 42116 5'" (May 29, 1995).	
	H	GenBank Accession No: T30875, ADAMS et al., "EST24351 Homo sapiens cDNA 5' end similar to None" (Jan. 11, 1995).	
	I	GenBank Accession No: N30539, HILLIER et al., "yx49g02.r1 Homo sapiens cDNA clone 265106 5'" (Jan. 6, 1996).	
	J	GenBank Accession No: H28536, HILLIER et al., "y159b11.r1 Homo sapiens cDNA clone 162525 5'" (July 19, 1995).	
	K	GenBank Accession No: H22240, HILLIER et al., "y131h11.s1 Homo sapiens cDNA clone 159909 3'" (July 8, 1995).	
	L	GenBank Accession No: H56776, DIATCHENKO et al., "EST0040 Testis, Subtracted Homo sapiens cDNA clone LUDA-ST6, mRNA sequence" (Oct. 4, 1995).	

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				Examiner Name	Sheinberg, M.
Sheet	2	of	2	Attorney Docket Number	PZ003P3

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>6</sup>
	M	GenBank Accession No: AAA72813, HOSTOMSKY et al., "trypsin inhibitor" (April 27, 1993).			
	N	GenBank Accession No: H56777, DIATCHENKO et al., "EST0041 Testis, Subtracted Homo sapiens cDNA clone LUDA-ST2, mRNA sequence" (Oct. 4, 1995).			
	O	BARTON et al., "Protein Structure Prediction, A Practical Approach," IRL Press at Oxford Univ. Press, U.K., pp. 31-63 (1996).			
	P	GEORGE et al., "Current Methods in Sequence Comparison and Analysis," Macromolecular Sequencing & Synthesis-Selected Methods and Applications, D.H. Schlesinger (Ed.) Alan R. Liss, Inc. New York, pp. 127-149 (1988).			
	Q	SUZUKI et al., An Introduction to Genetic Analysis, 3d Ed., W.H. Freeman and Company, New York, pp. 421-423 (1986).			

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